

Exhibit AH

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT
DEPARTMENT OF THE
TRIAL COURT

BRYCE ZUNDEL and DIANE ZUNDEL,)

Plaintiffs,

vs.

AMERILURE, INC., et al.,

Defendants.)

) CIVIL ACTION NO.:

) 22-2145

- - -

Deposition of WILLIAM E. LONGO, PH.D.,
taken on behalf of the Defendants, pursuant to
Notice, in accordance with the Massachusetts
Rules of Civil Procedure, before Louise
Griffith, Certified Court Reporter, at 6470 East
Johns Crossing, Suite 160, Johns Creek, Georgia,
on the 30th day of May, 2023, commencing at the
hour of 11:19 a.m.

William Longo, Ph.D. - May 30, 2023

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Page 3	Page 5
<p>1 APPEARANCES OF COUNSEL:</p> <p>2 ON BEHALF OF THE PLAINTIFFS:</p> <p>3 DARRON E. BERQUIST, ESQ.</p> <p>4 The Lanier Law Firm, PLLC</p> <p>5 126 East 56th Street</p> <p>6 6th Floor</p> <p>7 New York, NY 10022</p> <p>8 ON BEHALF OF THE DEFENDANT LYMOL MEDICAL</p> <p>9 CORP.:</p> <p>10 MICHAEL J. CAHALANE, ESQ.</p> <p>11 Cetrulo, LLP</p> <p>12 Two Seaport Lane</p> <p>13 10th Floor</p> <p>14 Boston, MA 02210</p> <p>15 ON BEHALF OF THE DEFENDANT UNITED MINERALS</p> <p>16 AND PROPERTIES, INC. d/b/a CIMBAR PERFORMANCE</p> <p>17 MINERALS:</p> <p>18 ERIN M. CARPENTER, ESQ. (via Zoom)</p> <p>19 Husch Blackwell, LLP</p> <p>20 355 South Grand Avenue</p> <p>21 Suite 2850</p> <p>22 Los Angeles, CA 90071</p> <p>23 ON BEHALF OF THE DEFENDANT BOSTON MEDICAL</p> <p>24 PRODUCTS:</p> <p>25 DANIEL P. MCCARTHY, ESQ. (via Zoom)</p> <p>MG+M The Law Firm</p> <p>125 High Street</p> <p>Oliver Street Tower, 6th Floor</p> <p>Boston, MA 02110</p> <p>ON BEHALF OF THE DEFENDANT SCIARRA LABS:</p> <p>MICHAEL GIUNTA, ESQ. (via Zoom)</p> <p>Freeman Mathis & Gary, LLP</p> <p>60 State Street</p> <p>Suite 600</p> <p>Boston, MA 02109-1800</p>	<p>1 WILLIAM E. LONGO, PH.D.,</p> <p>2 having been first duly sworn, was examined and testified</p> <p>3 as follows:</p> <p>4 EXAMINATION</p> <p>5 BY MR. CAHALANE:</p> <p>6 Q Good morning, Dr. Longo.</p> <p>7 A Good morning, sir.</p> <p>8 Q My name is Michael Cahalane. I'm at</p> <p>9 Cetrulo, LLP in Boston.</p> <p>10 And do you understand that you're here to</p> <p>11 testify about the Bryce Zundel matter?</p> <p>12 A I am.</p> <p>13 (Whereupon, a discussion was held off the</p> <p>14 record.)</p> <p>15 Q (BY MR. CAHALANE) So you understand, sir,</p> <p>16 that you're here to testify about the Bryce Zundel</p> <p>17 case, right?</p> <p>18 A Yes, sir.</p> <p>19 Q And you've testified in over 3500</p> <p>20 depositions in asbestos matters, right?</p> <p>21 A Probably.</p> <p>22 Q So you've -- we can probably dispense with</p> <p>23 the usual instructions, right?</p> <p>24 A Correct.</p> <p>25 Q The one thing I'll ask is that if you don't</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 74</p> <p>1 But if they don't -- if they're not trained or if</p> <p>2 they don't have the Calidria standard to understand</p> <p>3 what the refractive indices look like for these types</p> <p>4 of structures, no, they wouldn't be able to do it.</p> <p>5 It's -- you know, it's -- if, if somebody</p> <p>6 just was driving a regular automobile around and then</p> <p>7 they were, "come over here, we want you to go on this</p> <p>8 NASCAR race, see how you do," well, if he's trained,</p> <p>9 unless they know what they're looking for -- because</p> <p>10 the, the PLM schools out there haven't changed much</p> <p>11 in 50 years. It's all about asbestos-added products.</p> <p>12 You know, it's showing chrysotile. A big 'ol</p> <p>13 chrysotile bundle says you've got to have magenta.</p> <p>14 And that's not what happens here.</p> <p>15 And now it's been recognized that's not</p> <p>16 what happens here and recently published by Dr. Su</p> <p>17 who states specifically that there is other</p> <p>18 chrysotile minerals that will have different</p> <p>19 refractive indices than the 1866b chrysotile standard</p> <p>20 where gamma is significantly higher. That's been</p> <p>21 peer reviewed and published. And that's exactly what</p> <p>22 I've been saying for the last I don't know how many</p> <p>23 years on the attacks of our protocol.</p> <p>24 Q Well, how many years has it been you've</p> <p>25 been saying that?</p>	<p style="text-align: right;">Page 76</p> <p>1 A Oh. The header up there?</p> <p>2 Q Yeah.</p> <p>3 A God dang it. That's wrong.</p> <p>4 Q Okay.</p> <p>5 A That's a typo.</p> <p>6 Q That makes, that makes my life easier.</p> <p>7 Okay.</p> <p>8 A Jeez.</p> <p>9 Q So that should say --</p> <p>10 A 1.560.</p> <p>11 Q Got it.</p> <p>12 A You would think I would catch that.</p> <p>13 Q And your report also indicates that the</p> <p>14 refractive index fluid typically used for testing</p> <p>15 chrysotile is 1.55, right?</p> <p>16 A Correct.</p> <p>17 Q And that's what ISO 22262-1 requires?</p> <p>18 A That's what they state for, for chrysotile.</p> <p>19 Q And that's what EPA requires, right?</p> <p>20 A That's what they state for chrysotile, but</p> <p>21 that's for -- in chrysotile-added products, then it</p> <p>22 works fine.</p> <p>23 Q Okay.</p> <p>24 A For this, because the refractive indices</p> <p>25 are -- and the gamma are typically on average 1.566,</p>
<p style="text-align: right;">Page 75</p> <p>1 A Well, I think we have now been doing this</p> <p>2 for two years when -- it took us a while to get the</p> <p>3 method down.</p> <p>4 Q So it's 2023 now, so around 2021?</p> <p>5 A Correct.</p> <p>6 Q Mid 2021, that's when you started getting</p> <p>7 it down?</p> <p>8 A That's when I think we started providing,</p> <p>9 you know, analysis.</p> <p>10 Q Okay.</p> <p>11 A But without having Calidria standards,</p> <p>12 which we got to after we first started, we -- the,</p> <p>13 the PLM analyst would not have known what to look</p> <p>14 for.</p> <p>15 Q The -- and we just talked about this, but</p> <p>16 if you turn to page 9 real quick, I just want to</p> <p>17 clarify something.</p> <p>18 I know that the refractive index fluid you</p> <p>19 used is actually 1.56, right?</p> <p>20 A Correct.</p> <p>21 Q So if you look on Table 3, just a few lines</p> <p>22 down it says, RI fluid 1.650.</p> <p>23 That's a typo, right?</p> <p>24 A No. It is 1.560.</p> <p>25 Q Okay. So the copy that I'm looking at --</p>	<p style="text-align: right;">Page 77</p> <p>1 you want to use an RI fluid that is in the range of</p> <p>2 what gamma is. It's more accurate.</p> <p>3 Q And you just mentioned Dr. Su in the</p> <p>4 context of explaining why you used 1.56, right?</p> <p>5 A Well, it was both him and that was a</p> <p>6 recommendation from Dr. Webber when we were talking</p> <p>7 about this about a year ago.</p> <p>8 Q And you used -- and your report references</p> <p>9 Dr. Su in explaining why you used 1.56, right?</p> <p>10 A Correct.</p> <p>11 Q And you also used Dr. Su's conversion</p> <p>12 table, correct?</p> <p>13 A The conversion tables that he provided with</p> <p>14 the paper. And in that publication he says that the</p> <p>15 conversion tables are an easy and fast way to make</p> <p>16 identification. Now, those conversion tables are</p> <p>17 identical to the ones that he put out in 2000, in</p> <p>18 1996, in 2010. And it's very puzzling to me. On the</p> <p>19 one hand, his report criticizes me using his lookup</p> <p>20 tables that --</p> <p>21 Q You just beat me to the punch, so go ahead.</p> <p>22 A This is not the first time I've been asked</p> <p>23 this.</p> <p>24 Q Okay.</p> <p>25 A And then the second hand, he says in his</p>

<p style="text-align: right;">Page 78</p> <p>1 published paper that these tables are provided for an 2 easy and fast way to look up the refractive indices 3 with the wave lengths. And if you, and if you look 4 at that as 1.550 table for both gamma and alpha and 5 then look at what he published, he had an, you know, 6 UR code where you could then download them all. And 7 I lined them up and they were identical. That only 8 leads to one conclusion. 9 Q What's that? 10 A He never wrote that report. And I don't 11 have any evidence, but I think Micky Gunter wrote it. 12 Cause I'm curious why he would have a publication 13 that goes against most everything he said in there 14 and he didn't sign the report. 15 Q So Micky Gunter has also criticized your 16 finding of chrysotile in cosmetic talc, right? 17 A He has. 18 Q As has Dr. Su? 19 A I'm not sure Dr. Su really has now. I'm 20 not convinced he even wrote that report. 21 Q So you're, you're suggesting that he hasn't 22 criticized you because you don't think he's the 23 author of the report? 24 A Correct. 25 Q And --</p>	<p style="text-align: right;">Page 80</p> <p>1 A If they're not full on, they won't appear 2 brighter. See, he took my photographs and he 3 photoshopped them and said this is what it should 4 look like. And then if you look at Micky Gunter's 5 stuff, it looks very similar. I mean, he took the 6 photograph and he said, if he had brightness full on, 7 this is what it would look like. 8 I can just imagine coming here with 9 evidence like that and saying, if this is what the 10 PLM lab had done in its full brightness -- full 11 brightness is -- the brightness on these microscopes 12 are always full on. You don't have -- there's no 13 reason to have lower brightness. And if you look 14 at -- we have examples of where we have, we have a 15 chrysotile bundle that's an inner growth with talc. 16 And it's -- and so you have a perpendicular 17 refractive index and, you know, half of it looks like 18 it's ten times brighter. 19 So, you know, if we're, if we're doing 20 that, how did we get the one side brighter? So it's 21 always on full brightness. So he's wrong about that 22 if it's him and not -- 23 Q Why do you think Dr. Su has it out for you? 24 A Huh? 25 Q Why do you think Dr. Su has it out for you?</p>
<p style="text-align: right;">Page 79</p> <p>1 A Why would he, why would he put a report out 2 after he had a publication submitted to the, it's 3 called The Microscope Journal, that has the same 4 tables. It says, here's what you use. It says that 5 you're going to have higher -- you're going to have a 6 higher gamma. I mean, I'm puzzled by it. And, you 7 know, he, he won't be giving a deposition, so I guess 8 we'll never know for sure. 9 Q So just so I understand, Dr. Su -- Dr. Su's 10 criticism is that you've misinterpreted his 11 conversion tables, right? 12 A Correct. 13 Q Okay. And he said that your lighting makes 14 the fibers look brighter essentially, right? 15 A No. He said that -- he said we didn't have 16 brightness full on -- 17 Q Okay. 18 A -- which is an interesting thing to say 19 since he's never been in the lab except one time, you 20 know, 20 years ago. How do you make a -- how do you 21 say that? Oh, you didn't have the brightness full 22 on. Cause I just know. 23 Q But his point is that if the brightness is 24 not full on, the fibers will appear brighter; is that 25 right?</p>	<p style="text-align: right;">Page 81</p> <p>1 MR. BERQUIST: Objection to form. 2 THE WITNESS: I don't think he has it out 3 for me. I don't think he wrote the report. 4 Q (BY MR. CAHALANE) Okay. Do other labs that 5 you're aware of use refractive index fluid of 1.56 for 6 chrysotile? 7 A I don't know. 8 Q Okay. 9 A But it's in Dr. Su's, it's in Dr. Su's 10 publication that if we want a more precise. And then 11 he also states this is what you would do if your 12 refractor -- if the -- you want a refractive indices 13 fluid in the range of what you're finding. And we're 14 finding the gammas are always in the 1.561, 1.561 to 15 1.569. The average is 1.566. So scientifically, it 16 makes perfect sense. 17 Q But does he specifically recommend using 18 1.56 for chrysotile? 19 A Yeah. 20 Q Okay. And has that publication been peer 21 reviewed? 22 A Yes. That's -- Dr. McCrone started that 23 publication. 24 Q You touched on this earlier. 25 MR. BERQUIST: Michael, just whenever you</p>

William Longo, Ph.D. - May 30, 2023

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C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF DEKALB:

I hereby certify that the foregoing transcript was taken down as stated in the caption, that the witness was first duly sworn, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 291 represent a true, correct, and complete transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case. The witness did reserve the right to read and sign the transcript.

This, the 8th day of June, 2023.

LOUISE GRIFFITH, CCR-B-2121
Certified Court Reporter

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C O U R T R E P O R T E R D I S C L O S U R E

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